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**From:** Jones, Enesta [Jones.Enesta@epa.gov]  
**Sent:** 8/20/2020 3:45:17 PM  
**To:** AO OPA OMR CLIPS [AO\_OPA\_OMR\_CLIPS@epa.gov]  
**Subject:** Daily News Clips: Morning Edition, 8/20/20

**Daily News Clips: Morning Edition**  
**August 20, 2020**

**Administrator**

**Inside EPA: Wheeler Touts Steps To Promote Equity In EPA's Work, Denies 'Rollbacks'**  
<https://insideepa.com/daily-news/wheeler-touts-steps-promote-equity-epa-s-work-denies-rollbacks>

**Portland Press Herald: Lobstermen catch break on diesel engine standards**  
<https://www.pressherald.com/2020/08/20/lobstermen-catch-break-on-diesel-engine-standards/>

**Air**

**AP: Lobster boats will get more time to meet emissions rules**  
<https://apnews.com/c864c98e9cd56093169b720d232c6249>

**Bloomberg: Maine Lobster Industry Gets EPA Help as Collins Clings to Seat**  
<https://www.bloomberg.com/news/articles/2020-08-19/lobster-fishermen-to-net-relief-as-collins-tries-to-hold-seat>

**Chemistry World: EPA rescinds methane emissions reduction rule**  
<https://www.chemistryworld.com/news/epa-rescinds-methane-emissions-reduction-rule/4012290.article>

**Inside EPA: IG Elevates Fight With EPA Over Communities' Risks From EtO Emissions**  
<https://insideepa.com/daily-news/ig-elevates-fight-epa-over-communities-risks-eto-emissions>

**POLITICO Pro: EPA delays alerting communities to carcinogen**  
<https://subscriber.politicopro.com/article/2020/08/epa-has-delayed-alerting-communities-to-carcinogen-3983445>

**Power magazine: Coal Plants May Get Scrubber Reprieve from Proposed EPA NAAQS Redesignations**  
<https://www.powermag.com/coal-plants-may-get-scrubber-reprieve-from-proposed-epa-naaqs-redesignations/>

**The Progressive Farmer: Sen. Ernst Tells President Gap-Year RFS Waivers Should be Rejected**  
<https://www.dtnpf.com/agriculture/web/ag/blogs/ethanol-blog/blog-post/2020/08/19/sen-ernst-tells-president-gap-year-2>

**Coal Ash**

**Inside EPA: House Democrats fault Wheeler's 'giveaway' on EPA coal ash rule**  
<https://insideepa.com/daily-feed/house-democrats-fault-wheeler-s-giveaway-epa-coal-ash-rule>

**Pesticides**

**CNN: 750 million genetically engineered mosquitoes approved for release in Florida Keys**  
<https://www.cnn.com/2020/08/19/health/gmo-mosquitoes-approved-florida-scn-wellness/index.html>

**New Food Magazine: Insecticide researchers call for industry review**  
<https://www.newfoodmagazine.com/news/116171/insecticide-researchers-call-for-industry-review/>

## Waste

**Waste Dive: Chicago anaerobic digester, urban farm project secures final funding for \$32M campus**

<https://www.wastedive.com/news/chicago-green-era-urban-farm-anaerobic-digester/583764/>

## Water

**AP: Source: Michigan reaches \$600M deal in Flint water crisis**

<https://www.apnews.com/be582ed788a70a2bb5ab29cd1132558e>

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## Administrator

### Inside EPA

**Wheeler Touts Steps To Promote Equity In EPA's Work, Denies 'Rollbacks'**

<https://insideepa.com/daily-news/wheeler-touts-steps-promote-equity-epa-s-work-denies-rollbacks>

EPA Administrator Andrew Wheeler is touting the progress the Trump administration is making to consider environmental justice (EJ) "at the highest levels" of agency decisions, while rejecting claims he is pursuing hundreds of rule "rollbacks" and giving polluters a free pass with a COVID-19 enforcement discretion policy.

Speaking on an Aug. 19 National Environmental Justice Advisory Council (NEJAC) call, Wheeler stressed the important role of EJ at the agency, pointing to efforts made to elevate the issue to the top divisions throughout all 10 EPA regions and headquarters.

In 2018 under President Donald Trump, the agency's Office of Environmental Justice was elevated to the administrator's office, "to ensure your equities are considered at the highest levels," he also told the NEJAC. Last year, the offices were elevated to the administrator level at each region.

EJ is playing a growing role as the 2020 election approaches. Most recently, Wheeler and the leaders of jurisdictions in the Chesapeake Bay watershed [on Aug. 19 signed a plan](#) to address diversity, equity, inclusion, and justice in the long-term bay restoration bid, saying the cleanup's success depends on the equitable, just and inclusive engagement of all communities in the watershed.

But Democrats are also pushing EJ policies, with Democratic presidential nominee Joe Biden's running mate Sen. Kamala Harris (D-CA) slated to give a keynote speech Aug. 19 at the Democratic National Convention. Earlier this month Harris and other senators introduced the Environmental Justice for All Act, their version of House legislation floated this spring that aligns with several aspects of the Biden campaign's environment platform to address the issue.

Biden's campaign website signals equity would be a top priority for his EPA. "Any sound energy and environmental policy must advance public health and economic opportunity for all Americans, in rural, urban, and suburban communities, and recognize that communities of color and low-income communities have faced disproportionate harm from climate change and environmental contaminants for decades," it says.

But Wheeler on the NEJAC call outlined the many steps he says the agency has already taken to elevate the role of EJ in Trump EPA decisions and touted several more actions to further that goal.

One is the looming finalization of its lead and copper rule update next month. The rule, which is undergoing White House review, will mark the first time that schools and day care centers across the country will face mandatory requirements to screen their drinking water for lead. It is also the first time the rule will have been updated in more than 20 years, he added.

"We want to make sure the water they drink in schools or daycares is free of lead. . . . I think that's a great news story, a great story for parents . . . and I think this will go a long way to helping ensure that our children are safe," he said.

Additionally, Wheeler noted that EPA has prioritized critical investments in water infrastructure, approved more than 1,200 state implementation plans, re-designated 49 non-attainment areas into attainment with national ambient air quality standards, with many of those changes due to pollution controls put in place "in inner cities across the country."

### **'Protect The Places We Love'**

He added that over the past three years, air pollution has fallen by 7 percent and the agency's enforcement office has vastly increased its efforts "holding polluters accountable at a record rate."

The largest increases are in the criminal enforcement area where numbers that had been falling since 2011 have reversed in all areas, under an enforcement approach he said has continued "aggressively" even during the pandemic.

Wheeler further pointed to Trump signing America's Water Infrastructure Act, which he says is the first time a law has mandated staff resources for minority, tribal and low-income community consideration.

But he added, "We cannot regulate our way out of these issues," and stressed the need for collaboration with community members. "One of my top priorities" is developing and implementing "a community-based approach to environmental protection, which will require a major shift in the way we do business."

To do this, he asked the advisors for their thoughts on a "new focus to protect the places we love and help the places that have been hurt," such as frontline communities. "If we focus our attention properly, we can help these communities" become healthy, "what they have been striving so long to be."

During the NEJAC meeting, Ayako Nagano -- secretary of the board for the non-profit Common Vision that installs school gardens all across California -- asked Wheeler about news reports that the agency is aggressively pursuing rollbacks of Obama-era policies, not affirmative steps to protect the environment.

Wheeler strenuously attacked the news media for having a "bias" against the agency, giving the anecdote of a reporter telling him her paper would never write a positive story about the Trump EPA.

“That’s what I’m battling,” he said. “Trying to get the positive news of what we’re doing to the American public” is faced with “complete bias on the part of national environmental reporters.”

What is not reported is that EPA has “replaced almost every single one of the regulations that we’ve rolled back with a more moderate or up-to-date regulation,” he said.

He pointed to the repeal of the Obama EPA’s broad Clean Power Plan power plant greenhouse gas rule with the replacement of the more limited Affordable Clean Energy (ACE) rule, but did not note that ACE has been criticized for potentially promoting GHG and other pollution spikes.

“I am very proud” of the work EPA has done “and very disturbed that the national media continues to downplay our accomplishments,” he said.

Finally, Wheeler defended the agency’s enforcement discretion guidance, which was issued in March and is set to expire Aug. 31, with a slight change of description in how it works, in response to a question about it from NEJAC member Melissa McGee-Collier, director of the Office of Community Engagement at Mississippi’s Department of Environmental Quality.

When EPA issued the discretion policy it said it did not intend to cite facilities that miss routine reporting or monitoring requirements due to the pandemic, but warned the facilities of the need to keep the records if EPA sought them.

Wheeler told NEJAC that facilities that missed deadlines still must file those late reports and explain why COVID was the cause of the delay.

He also described the blanket policy as “very mild” compared to what happens in a natural disaster such as a hurricane, and noted the discretion did not allow any excess emissions. “There is a lot of misinformation out there” about the policy, which is “solely related to filing paperwork reports with the agency.”

The agency is facing three separate lawsuits over the guidance. Critics have noted that if reports are not filed, then there is no way to know if facilities are in compliance. -- *Dawn Reeves*([dreeves@iwpnews.com](mailto:dreeves@iwpnews.com))

## **Portland Press Herald**

### **Lobstermen catch break on diesel engine standards**

<https://www.pressherald.com/2020/08/20/lobstermen-catch-break-on-diesel-engine-standards/>

**By Penelope Overton**

U.S. lobster fishery is exempt from new standards until cleaner-running lobster boat engines are available on the commercial market.

Lobster fishermen are getting a temporary reprieve from federal diesel engine emissions standards because the cleaner running engines needed to power today's bigger, faster fishing vessels farther and farther offshore have yet to hit the commercial market.

During a visit to Maine on Thursday, EPA Administrator Andrew Wheeler is expected to announce that lobster and pilot boat builders will have another two to four years to meet low particulate, low nitrogen oxide emissions standards written into the national marine diesel program in 2008. The cleanest engines were to be used in all new large lobster boats by 2017.

"This relief gives boat builders and operators flexibility to meet EPA standards during the next several years," Wheeler said in a prepared statement. "The larger market for diesel engines can't build new models quickly enough for marine users – putting these operators in potential violation of pollution rules through no fault of their own."

Wheeler will talk about the emissions reprieve at a Kennebunkport resort Thursday afternoon following a tour of a local lobster pound. In the morning, he will tour some of Portland's old contaminated industrial areas, also called brownfields, to underscore the \$12.2 million in clean-up grants that Maine has received under President Trump.

The diesel engine standards controversy, and the possibility of a reprieve from Wheeler, has been building slowly for years, overshadowed by lobster bait shortages, the impact of the COVID-19 pandemic and the U.S.-China trade war on lobster exports, and the possibility that saving the North Atlantic right whale from extinction could mean an end to lobster fishing as it currently exists.

Trump has reached out to Maine's lobster industry several times, meeting with fishermen in Bangor this year to discuss the impact of the trade war. He promised both financial relief for fishermen and retaliation for China if it didn't live up to its January promise to buy more U.S. lobster. So far, however, U.S. lobster sales to China in 2020 are down, not up.

But he did reintroduce commercial fishing to the Northeast Canyon and Seamounts Marine National Monument, an administrative rebuke of government regulation that holds big political appeal among Maine fishermen but little practical value because the 4,900-square mile area is in southern New England and lobstering had never been banned.

The emissions reprieve is a tangible political spoil for those unable to buy the big, powerful new lobster boat they have coveted.

A dozen years after the diesel standards were set, manufacturers have yet to build a low-emission engine that can give lobstermen the speed and power they need to haul a deck full of lobster traps 40 miles or more to sea and a tank full of chilled lobsters home in a single day. Law enforcement boats and pilot boats fall into the same category.

The operator's grim choice: build a new boat with a weaker but greener engine, or stay with their old boat and its old, dirty engine.

But the waiver that Wheeler announced Thursday will give manufacturers more time to bring greener engines to market that will meet the performance needs of lobstermen, pilot boat operators and law enforcement agencies. Once the engines are available, builders also will need time to redesign their fiberglass hulls to hold the bigger engines and their emissions-reducing technology.

If manufacturers can't produce greener engines that boat builders can fit into redesigned lobster, pilot and law enforcement vessels by the newly extended deadline, builders of these commercial vessels and their operators can seek a diesel engine exemption from EPA until the technology is available for commercial use, the EPA said.

Lobster boat builder Steve Wessel of Wesmac Custom Boats in Surry, one of the few builders making fiberglass boats longer than 50 feet, told the Ellsworth American he can't start designing new lobster boats around compliant engines until they come to market. Without a waiver, the state's lobster fleet and the \$1.4 billion industry as a whole can't grow.

"This is creating havoc among customers and builders," Wessel said.

**Air**

**AP**

**Lobster boats will get more time to meet emissions rules**  
<https://apnews.com/c864c98e9cd56093169b720d232c6249>

The administrator of the U.S. Environmental Protection Agency is giving lobster boat builders a few more years to meet low emissions standards.

Administrator Andrew Wheeler is expected to make the formal announcement during a visit to Maine on Thursday, the Portland Press Herald reported. The emissions standards became part of the national marine diesel program in 2008, and large lobster boats were expected to begin using new cleaner engines by 2017.

Boat builders will have an extra two to four years to meet the standards, the newspaper reported. Wheeler said in a statement that the reprieve "gives boat builders and operators flexibility to meet EPA standards during the next several years." He said there aren't enough of the newer model engines available for all users yet.

The lobster industry faces other challenges including trade hostilities with China and recent bait shortages.

**Bloomberg**

**Maine Lobster Industry Gets EPA Help as Collins Clings to Seat**

<https://www.bloomberg.com/news/articles/2020-08-19/lobster-fishermen-to-net-relief-as-collins-tries-to-hold-seat>

By [Jennifer A Dlouhy](#)

- <!--[if !supportLists]--><!--[endif]-->Trump's EPA plans to allow more time for boat engine upgrades
  - <!--[if !supportLists]--><!--[endif]-->Live lobster catch imperiled by hot, cleaner-burning engines
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The Trump administration's latest bid to help the Maine lobster industry -- and possibly the re-election chances of Republican Senator Susan Collins -- is giving the sector more time to start using less-polluting diesel engines.

The change is set to come in the form of an Environmental Protection Agency rule granting boat builders as much as seven extra years to keep installing older engines in high-speed commercial vessels. The White House Office of Management and Budget finished an interagency review of the measure on Aug. 13, setting up its release soon.

The additional time is targeted to a small segment of vessels, with pilot boats and lobster fishing boats the primary beneficiaries. Lobster fishing interests and marine manufacturers pushed for the change, warning the EPA there are no certified, compliant engines that will safely fit on small lobster boats without transmitting heat that jeopardizes live catch in onboard holding tanks.

"Live lobster and heat are a lethal combination," the Maine Lobstermen's Association has warned the administration.

Maine's entire congressional delegation, including Collins, cheered on the EPA proposal last year, calling it a "commonsense solution" that "prevents lobstermen from being burdened by requirements that are impossible to meet with the currently available technology."

The EPA has estimated the industry would save at least \$5.4 million by continuing to install less-expensive, older engines.

It's not the first time the Trump administration has moved to boost Maine's lobster industry. In a roundtable with commercial fishermen in June, President Donald Trump threatened to slap new tariffs on China and the European Union in retaliation for duties on U.S. lobster. Trump even dubbed Peter Navarro the "lobster king" in tapping his trade adviser to pursue the issue.

Later that month, Trump signed a memorandum directing his agriculture secretary to consider offering financial aid to lobster fishermen who have lost revenue because of Chinese tariffs. Maine accounts for approximately 80% of the annual American lobster harvest, and Collins and other members of the state's congressional delegation have been pushing for the step for at least a year. Trump also lifted Obama-era prohibitions on commercial fishing in protected waters off New England that had been challenged by lobstermen.

Collins is considered one of the most vulnerable incumbent GOP senator in the November election, and she has pitched her ability to get things done for Maine in a divided Washington as her chief calling card. Collins

has trailed Democratic nominee Sara Gideon in recent polls, including a 5-point margin among likely voters in a recent Bangor Daily News poll.

The Collins-Gideon contest could help decide control of the Senate next year. Democrats need a net gain of at least three seats to take over in the chamber if Joe Biden wins the presidency and four seats if he loses.

Collins has refused to say if she will vote for Trump this fall -- she pointedly opposed him in 2016 -- as she needs Trump's voters to have a chance of winning. Though Collins has touted her role in passing the previous stimulus package, including aid to small businesses, she has been frustrated at the failure to deliver a fresh round of help for small businesses, the Postal Service and state and local governments.

— With assistance by Steven T. Dennis

## **Chemistry World**

### **EPA rescinds methane emissions reduction rule**

<https://www.chemistryworld.com/news/epa-rescinds-methane-emissions-reduction-rule/4012290.article>

**By Rebecca Trager**

The US Environmental Protection Agency (EPA) has rolled back regulations that required oil and gas companies to monitor and fix methane leaks from production wells, processing facilities, pipelines and storage facilities. While some major oil companies and environmental groups oppose the new rules, announced on 13 August, organisations representing oil and natural gas producers are supportive.

The regulations were first established in 2016 by President Barack Obama under the US Clean Air Act as a means to curb methane emissions. That plan also cut methane releases from some existing oil and gas operations through other standards that covered volatile organic compounds (VOCs).

Under the EPA's new policy, methane releases will only be regulated indirectly through a separate rule that targets emissions of VOCs. The new regulations will result in an additional 400,000 tons of methane emissions by 2030, according to projections that the EPA itself released earlier this month.

In announcing the rule change, EPA Administrator Andrew Wheeler said the goal of the new policy is to remove 'ineffective and duplicative requirements' and 'reduce regulatory burdens for oil and natural gas entities.' The previous rule disproportionately hampered small and medium-size energy companies, he argued.

### **Industry opposition**

Some oil companies have spoken out against the new rules. 'The negative impacts of leaks and fugitive emissions have been widely acknowledged for years, so it's frustrating and disappointing to see the administration go in a different direction,' said Gretchen Watkins, president of US Shell.



David Lawler, the chairman and president of BP America, said his company ‘respectfully disagrees’ with the administration’s decision, noting that direct federal regulation of methane emissions is essential to preventing leaks throughout the industry and protecting the environment.

Environmental groups also criticised the EPA’s action and several, including the Environmental Defense Fund and the Natural Resources Defense Council, indicated their intent to sue the agency over the matter.

Meanwhile, trade associations the American Petroleum Institute (API) and the Independent Petroleum Association of America (IPAA) have enthusiastically endorsed the changes.

Under the EPA’s modified standards, operators will still be required to control emissions, and the industry continues to make progress in reducing methane releases through new technologies, the API said. The organisation noted that methane emission rates from five of the largest producing regions across the US fell more than 60% from 2011 to 2018, even as production in those areas has increased dramatically.

The technical changes that the EPA has made are ‘important corrections that are necessary to address flawed programs resulting from the politically driven rush to complete the 2016 regulations’, said the IPAA’s executive vice president, Lee Fuller.

#### **Inside EPA**

##### **IG Elevates Fight With EPA Over Communities’ Risks From EtO Emissions**

<https://insideepa.com/daily-news/ig-elevates-fight-epa-over-communities-risks-eto-emissions>

EPA Inspector General (IG) Sean O’Donnell is launching a formal dispute resolution process with the agency for failing to swiftly inform communities living near 25 ethylene oxide (EtO) emitting facilities of the elevated health risks they face, as House and Senate Democrats separately ramp up pressure on EPA to address risks from EtO.

In an Aug. 19 letter to EPA Associate Deputy Administrator Doug Benevento, O’Donnell says he is elevating the fight because the agency’s recently drafted plans to accelerate by one month its EtO public outreach program falls short of what the Office of Inspector General (OIG) says is necessary to adequately inform people at risk. “Because the Agency has chosen not to fully address our concerns, we plan to continue the audit dispute resolution process by submitting a dispute resolution request to the EPA’s chief financial officer,” he writes.

The escalation was expected after the OIG stood behind its earlier management alert to EPA finding an “urgent” need to bolster outreach to communities subject to air emissions of the carcinogen EtO despite Administrator Andrew Wheeler’s call to withdraw the document, teeing up the formal dispute resolution process.

“The dispute resolution process is a complicated process that involves specific criteria and timeframes for when it is used,” OIG Congressional and Media Liaison Jeffrey Lagda tells *Inside EPA*. “In this specific case, our next step is to submit a dispute resolution request to the Administrator, and for the Administrator to meet with the Agency Action Official and the Inspector General to discuss and try to resolve the issue.”

The Obama EPA in a 2016 risk assessment found the chemical EtO to be much more harmful than previously believed, and it is blamed for elevated cancer risks at various sites around the country.

The March 31 OIG alert warned that while EPA has identified 25 EtO-emitting facilities as high-priority because of their health risks, it has only met with residents near nine of those sites.

“Public meetings have not been conducted in communities near 16 facilities where the EPA estimated that ethylene oxide emissions contribute to elevated estimated cancer risks. These communities have not been given the same opportunity to interact with federal and state regulators to become informed on the issue,” it said.

OIG also rejected as inadequate an initial response from Benevento, who wrote that the agency plans more analysis of EtO’s risks prior to any new outreach campaign. He cited flaws in the National Air Toxics Assessment (NATA) data on EtO emissions, including its age and lack of geographic precision, as factors in that decision.

That prompted push-back from Wheeler, who hours after the alert was issued released a statement calling for its withdrawal -- a rare if not unprecedented step. He claimed EPA was never warned that OIG planned to rebuff its response. “The tone and substance of this report indicates a disconnect in the US EPA IG’s office,” Wheeler said.

In his new letter, O’Donnell writes, “I offered to meet with the Agency on July 20, 2020, to discuss the proposed corrective action plan in the Agency’s May 15, 2020 memorandum. During that meeting, I stated that a more punctual time frame was essential to an acceptable corrective action plan that addressed direct outreach with communities near the high-priority facilities. Afterward, on August 4, 2020, the Agency provided a revised corrective action plan, which adjusted the date for initial outreach with impacted residents from June 30, 2021, to May 31, 2021.”

The IG signals that these efforts continue to fall short of what O’Donnell’s team believes is necessary to address EtO risks. He says, “the revised timeline does not reflect the seriousness associated with the 25 high-priority ethylene oxide emitting facilities that the EPA had previously identified,” according to the letter.

EPA’s action plan also does not commit to interactive outreach with residents through virtual risk communication tools such as webinars that the agency has already used widely during the COVID-19 pandemic, he writes.

An EPA spokesperson says, "As EPA pursues its mission to protect public health and the environment, addressing ethylene oxide is a major priority for the Agency. EPA is making progress under its two-pronged strategy to review air toxics rules for industries that emit ethylene oxide, and to provide technical support requested by our state and territorial air agency partners as they work to learn more about emissions from

facilities in areas that the [NATA] identified as potentially at increased risk of cancer from continuous, 70-year exposure to ethylene oxide in the outdoor air.

"This follow-up work is always necessary to more fully understand the potential risks NATA identifies, in part because the emissions information NATA relies on is several years old by the time the assessment is released. Already, this work has led to steps that will reduce emissions at facilities in a number of areas in states such as Colorado, Georgia, Illinois and Missouri – faster than EPA's rulemaking process can provide.

"EPA will continue to provide states assistances and information as they continue this follow-up work. The Agency believes that improving risk communication on ethylene oxide is a priority and will continue to support our state and local partners in their efforts to share information with the public, regardless of the outcome of the process with the Office of the Inspector General."

### **Democrats' Calls**

In Congress, top Democrats are separately calling for EPA to step up its outreach to communities to warn them of the potential health risks that they face from nearby facilities using EtO.

In an Aug. 11 letter to Wheeler, Sen. Tom Carper (D-DE), ranking member on the Senate Environment and Public Works Committee, and Rep. Lisa Blunt Rochester (D-DE), a member of the House Energy and Commerce Environment and Climate Change Subcommittee, say, "We are writing to express our grave concern over the apparent failure of the Environmental Protection Agency (EPA) to communicate the health risks of ethylene oxide to Delaware residents, despite a report from the Office of the Inspector General (IG) directing the agency to do so."

They focus on the Croda Inc. Atlas Point manufacturing site in Delaware, which "manufactures important ingredients that go into a variety of consumer and industrial products from cosmetics to paints and stains for your home," according to the company's website.

"The public, especially the at-risk communities living closest to the Croda facility in New Castle, have a right to know when they may risk exposure to any contaminants that pose significant health risks, including an increased risk of cancer," Carper and Blunt Rochester write. "As of the date of this letter EPA has yet to inform 16 of the 25 communities of the serious health risk the exposures pose, including the New Castle community."

The lawmakers ask Wheeler to answer a series of questions by Sept. 7. These include, "Has EPA held a public meeting or meetings with residents living near the Croda plant to communicate the health risks associated with ethylene oxide? If so, please provide the date, time and location for each meeting. If not, why not?"

Also, they ask, "Are there future plans for EPA to hold public meetings with residents living near the Croda plant to communicate the health risks associated with ethylene oxide?"

In a separate Aug. 17 to Wheeler, Sen. Chris Coons (D-DE) joined Carper and Blunt Rochester in calling for faster outreach to the community in the area. Coons cites the importance of doing so in the light of a Nov. 25, 2018, industrial accident at the site that released 2,688 pounds of EtO, "which impacted employees, neighbors and thousands of community members."

Coons writes, "EPA's silence and lack of outreach to Delawareans to improve the public's understanding of ethylene oxide is eroding both public and Congressional trust." -- *Stuart Parker* (sparker@iwpnews.com)

**Editor's Note:** *This story has been updated to include the EPA spokesperson's response.*

## **POLITICO Pro**

### **EPA delays alerting communities to carcinogen**

<https://subscriber.politicopro.com/article/2020/08/epa-has-delayed-alerting-communities-to-carcinogen-3983445>

**By Annie Snider**

It will be more than a year after EPA's Inspector General issued its recommendation that the agency alert residents near chemical plants and medical sterilization facilities that they are likely exposed to dangerous levels of carcinogenic chemicals before EPA reaches out to residents, according to a new Trump administration plan.

In March, EPA's Inspector General issued a Management Alert finding that communities near 16 of the 25 facilities emitting dangerous levels of ethylene oxide, primarily in Texas and Louisiana, had not been notified by state or federal environmental officials.

**EPA's plan:** In an updated response to the IG, EPA's acting No. 2, Doug Benevento, said the EPA data showing the elevated risks to communities was too uncertain.

The IG's alert was based on the 2016 National Air Toxics Assessment, which uses known toxic emissions to estimate risks from ambient air at the census tract-level. EPA says it is intended to be a screening tool to help state and local officials identify areas that warrant further scrutiny.

"Public engagement on dated, preliminary, uncertain information is irresponsible and undermines the Agency's credibility," Benevento said. He said EPA would work with the states of Texas and Louisiana to do a more refined analysis of the risk to neighboring communities.

Under the plan Benevento submitted in May to the IG, he laid out a plan to conduct outreach to communities by June 30, 2021, although a response from the IG indicates EPA later moved that deadline forward one month, to May 31, 2021.

**IG shoots back:** In a letter sent to Benevento Wednesday, IG Sean O'Donnell said the uncertainties around the data shouldn't stop the agency from taking "prompt action."

"While we support the Agency's proposed actions to conduct additional, more refined risk investigations of ethylene oxide-emitting facilities, we do not believe such investigations preclude the Agency from taking prompt action to communicate available risk information directly to residents living in communities near these facilities," O'Donnell wrote.

O'Donnell noted that the disagreement means the IG and Trump administration officials will continue to move through the dispute resolution process.

In a statement, an EPA spokesperson said, "The Agency believes that improving risk communication on ethylene oxide is a priority, and will continue to support our state and local partners in their efforts to share information with the public, regardless of the outcome of the process with the Office of the Inspector General."

**Context:** Just two weeks after Benevento sent the IG his updated plan, EPA finalized an air toxics rule that will require chemical manufacturing plants to upgrade their emissions controls for ethylene oxide. The rule requires plants to plug emissions leaks, but still allows facilities to emit the chemical at levels that pose twice the health risk to local communities EPA typically considers acceptable.

EPA's independent risk assessment program has linked even low levels of exposure to ethylene oxide with increased risk of breast cancer, leukemia and other cancers. The state of Texas has contested that finding and issued its own scientific conclusion that the chemical is safe at far higher levels of exposure.

#### **Power magazine**

##### **Coal Plants May Get Scrubber Reprieve from Proposed EPA NAAQS Redesignations**

<https://www.powermag.com/coal-plants-may-get-scrubber-reprieve-from-proposed-epa-naaqs-redesignations/>

**By Sonal Patel**

The Environmental Protection Agency (EPA) has moved to redesignate four new areas of Missouri, Nebraska, Ohio, and Texas as being in attainment of air quality standards for sulfur dioxide (SO<sub>2</sub>).

The proposed actions issued over the past week provide a potential reprieve for several coal power plants, which would have needed costly pollution controls to comply with the 2010 1-hour SO<sub>2</sub> National Ambient Air Quality Standard (NAAQS) under the Clean Air Act.

Over the past two weeks, the EPA has proposed to redesignate to "attainment/unclassifiable," portions of Franklin and St. Charles Counties in Missouri; all of Lancaster County in Nebraska; all of Gallia County and a portion of Meigs County in Ohio; and all of Milam County in Texas.

The proposed actions stem from the EPA's fourth round of intended area designations. In 2010, the agency finalized revisions to the 1971-promulgated primary SO<sub>2</sub> standards, and established primary SO<sub>2</sub> NAAQS at a level of 75 parts per billion (ppb)—which is essentially attained when the 3-year average of annual 99th percentile of daily maximum 1-hour average concentrations of SO<sub>2</sub> does not exceed 75 ppb.

After promulgation of a new or revised NAAQS, each state governor can recommend air quality designations, and the EPA responds by formalizing area designations and boundaries for the NAAQS. While the EPA completed its initial round in July 2013, a federal district court in California ordered the EPA to complete all portions of the country by December 2020. The EPA then completed designations for most remaining areas of the country in Round 2 (December 2017) and Round 3 (March 2018).

Round 4, which relates to the EPA's recent action, is the agency's "final" round, meaning there will be no remaining undesignated areas for the 2010 SO<sub>2</sub> NAAQS, if the proposed action is finalized by December 2020.

The redesignations provided under Round 4 mainly stem from areas deemed "unclassifiable" in Round 2. "At that time, EPA did not have enough information to determine if these areas attained the 2010 standard for SO<sub>2</sub>. Since then, the states added additional monitoring to better understand air quality in those areas," it said on Aug. 14. "EPA now has the three years of data required to determine that these areas are meeting the standards. If finalized, both Gallia and Meigs counties in Ohio will be in attainment for all NAAQS."

Among major plants affected are Ameren Missouri's 2,372-MW Labadie Energy Center in the Franklin County-St. Charles County area. While the 1970-built plant is "the main source of SO<sub>2</sub> in the area, the EPA said the area was characterized as unclassifiable in September 2015 because the EPA did not have enough information to determine if the standard was met. "To meet the standard, an area is assessed for the most recent three consecutive years of quality-assured, certified ambient air quality data," it said.

According to the EPA, Ameren installed and began operating an SO<sub>2</sub> monitoring network at four locations around Labadie in order to characterize SO<sub>2</sub> air quality in the area. "Since commencement of the full monitoring network in 2017, air quality data has recorded ambient SO<sub>2</sub> design value concentrations between 18 and 38 parts per billion, below the SO<sub>2</sub> 1-hour standard of 75 parts per billion. Monitoring at the four locations demonstrates ambient conditions attaining the SO<sub>2</sub> NAAQS," the agency said on Aug. 10.

In a statement sent to *POWER* earlier this week, U.S. Sen. Roy Blunt (R-Missouri) said the EPA's redesignation was "great" for the state. "This decision by EPA will give local businesses more certainty to plan for the future, free up public resources and, most importantly, provide peace of mind to families in the area," he said.

While Ameren did not immediately respond to a request for comment, company documents note that under a 2017 integrated resource plan (IRP) filing, its Missouri subsidiary Ameren Missouri established a goal of reducing CO<sub>2</sub> emissions 80% by 2050 from a 2005 base level. Ameren Missouri is also targeting a 35% CO<sub>2</sub> emission reduction by 2030 and a 50% reduction by 2040 from the 2005 level. In order to meet those goals, the utility expects to retire its 5-GW coal-fired generation fleet at the end of each energy center's useful life. "As indicated in the 2017 IRP, the Meramec, Sioux, Labadie, and Rush Island energy centers are expected to be retired in 2022, 2033, 2042, and 2045, respectively. The next integrated resource plan is expected to be filed in September 2020," it says.

Nebraska Public Power District's (NPPD's) 225-MW Sheldon Station power plant in Lancaster County, Nebraska, also got a reprieve. Like Labadie, while the plant is the main source of SO<sub>2</sub> in the area, the "area was designated as unclassifiable in July 2016, because EPA did not have enough information to determine if the standard was met," the EPA said.

Since the Nebraska Department of Environment and Energy (NDEE) installed a new SO<sub>2</sub> monitor and began collecting data on Jan. 1, 2017, the monitoring has recorded "an ambient SO<sub>2</sub> 3-year design value of 29 parts per billion from January 2017 through December 2019, demonstrating monitored attainment well under the SO<sub>2</sub> 1-hour standard of 75 parts per billion. Subsequently, NDEE submitted a redesignation request in May 2020 that EPA is proposing to approve," the EPA said.

Sheldon, notably, is interesting because NPPD is working to install a project that could reduce the plant's carbon emissions by converting it into a partial hydrogen-powered generator. In March 2020, NPPD's newly appointed president and CEO said the first unit of a manufacturing facility that will provide the necessary hydrogen is nearing completion "and will soon be in operation." He added, "Our next step in this process is to complete the design and engineering of the conversion at Sheldon Station and eventually begin operations where hydrogen is used as a fuel in generating electricity and replacing coal."

Also notably affected by the EPA's proposed redesignation last week are Ohio Power Co.'s Gavin and Ohio Valley Electric Corp.'s Kyger Creek power plants in Gallia County. Data collected from 2017 to 2019 "demonstrated sulfur dioxide concentrations in the area are below the 2010 NAAQS for sulfur dioxide," the EPA said.

#### **The Progressive Farmer**

##### **Sen. Ernst Tells President Gap-Year RFS Waivers Should be Rejected**

<https://www.dtnpf.com/agriculture/web/ag/blogs/ethanol-blog/blog-post/2020/08/19/sen-ernst-tells-president-gap-year-2>

By Todd Neeley

American farmers have been left to wonder for the past several months, exactly what was going on behind closed doors at the EPA when it comes to the Renewable Fuel Standard.

The overarching question being asked by many: Is President Donald Trump making a calculated political decision to freeze all EPA action on all things RFS until after the November election? Including pending small-refinery exemption requests and the release of a 2021 volumes proposal.

Maybe that calculus shifted a bit on Tuesday, when a federal lawmaker from Iowa put Trump on the biofuels hotseat during his stop in Cedar Rapids, Iowa.

Below is a transcript from Trump's exchange with Iowa Republican Sen. Joni Ernst during a roundtable, provided by the Iowa Renewable Fuels Association:

**Ernst:** "One thing that would be helpful, of course, with the impact to the ag economy, the loss of so many crops, is our farmers would love to know that with these gap-year waivers that the oil refineries are submitting to the EPA, that we just dispense of those; we not allow them to move forward. Some of these waivers would apply to years -- nine years ago, eight years ago. Our farmers just really need some help this year obviously with the crop damage, and that would be a great step forward."

**Trump:** "So I approved the ethanol and we did the whole thing with the 12 months (E15) and all of the others. Let me ask you, how is ethanol doing with the markets? It's got to be a little bit tough, right?"

**Ernst:** "It is. It's very tough right now. And through COVID we saw a decrease in driving. And so the sales of ethanol have not been up where they should be. And we've seen that all across the industry, the impact. And now after the crop damage, it just sets our farmers even farther back."

**Trump:** "But they'll be ready when the market comes back? They'll be ready like never before."

**Ernst:** "Yes, they will. And what we need, just help from the EPA to follow the intent of the law with the Renewable Fuels Standard."

**Trump:** "Alright. We'll speak to them. I'll speak to them myself. I'll do it myself."

Despite a ruling by a federal court in January that essentially froze the agency's ability to either approve or reject requests for small-refinery exemptions, EPA has not indicated whether it will change the way it manages the exemptions program.

Perhaps worse in the eyes of ag and biofuels producers is the agency now is considering granting exemptions retroactively from as far back as 2011.

Add to it an agency that missed a June deadline for releasing 2021 proposed RFS volumes, and some believed the president may have been making a political calculation to leave it all alone until after the November election.

Both rural America and oil refining interests were strong Trump supporters in 2016 and considered to be equally as important in 2020.

So what does this all mean?

Taken at face value it appears Trump will be having a discussion with EPA Administrator Andrew Wheeler -- which has happened so many times in the past four years -- and farm country continues to wait.

Perhaps there will be another in what has been a long series of meetings at the White House involving industry officials and federal lawmakers.



What is certain is Trump has heard firsthand the plight of rural America when it comes to the RFS.

## Coal Ash

### Inside EPA

#### House Democrats fault Wheeler's 'giveaway' on EPA coal ash rule

<https://insideepa.com/daily-feed/house-democrats-fault-wheeler-s-giveaway-epa-coal-ash-rule>

Top Democrats on the House Transportation & Infrastructure Committee are pressing EPA Administrator Andrew Wheeler on recent revisions to the agency's Resource Conservation & Recovery Act (RCRA) coal ash disposal rule, calling it a "complete giveaway to industry" and demanding details on Wheeler's policy plans.

In an Aug. 18 letter to Wheeler, full transportation panel Chairman Rep. Peter DeFazio (D-OR) and Rep. Grace Napolitano (D-CA), who chairs the subcommittee on water resources and environment, attack as insufficiently protective the recently finalized "Part A" ash rule. The regulation sets new closure deadlines for disposal sites that cannot meet technical and siting standards, and allows operators to seek deadline extensions that critics say can postpone the shutdown process for as long as 17 years.

The lawmakers write that they are "deeply concerned that EPA's proposal will continue to allow coal-fired electric utilities to contaminate local water sources, including groundwater, with the toxic residuals of coal, despite significant evidence on the adverse effects of these chemicals on human health and the environment."

That echoes legal threats raised by environmental groups against the ash rule, which is just the latest in a series of revisions the Trump EPA has enacted for the 2015 RCRA disposal standards.

For instance, the environmental law firm Earthjustice said the rule "will add exemptions and loopholes" to the closure process and allows for utilities to send "an average of one million tons of additional toxic ash" to facilities that do not meet the RCRA standards for leak prevention.

"This rule is a complete giveaway to industry at the expense of human health. The EPA should go back to the drawing board and commit to adequately protecting the public's health and our environment from toxic coal ash water pollution," DeFazio and Napolitano write, adding that they "will continue to hold the Trump administration and EPA accountable for their blatant disregard for the health and safety of Americans."

They ask Wheeler to provide by Sept. 15 detailed data on the agency's current plans for coal ash, including: the "specific steps" it is taking to protect vulnerable communities and environments from leaks; a list of "all of the facilities" that would have subject to new restrictions or closure orders under the 2015 rule and how new rulemakings have changed those mandates; and an assessment of "potential changes in the risk to human health and environment" for each.

A separate set of queries focuses on EPA's failure so far to craft a rule that would subject "legacy" ash sites at closed power plants to the RCRA standards, which as written apply only to facilities at active plants.

The U.S. Court of Appeals for the District of Columbia Circuit held in 2018 that the Obama EPA's decision not to regulate legacy sites was unlawful as part of a broader decision. As yet none of the Trump administration's revisions to the standards have addressed that aspect of the court's ruling, although a preliminary call for data on the subject started White House review on July 23.

The lawmakers ask Wheeler for details on when the agency plans to complete that rulemaking and the steps it has taken toward that process, including identifying the universe of legacy sites and their owners, and evaluating risks to human health and the environment.

## Pesticides

### CNN

#### **750 million genetically engineered mosquitoes approved for release in Florida Keys**

<https://www.cnn.com/2020/08/19/health/gmo-mosquitoes-approved-florida-scn-wellness/index.html>

By Sandee LaMotte

A plan to release over 750 genetically modified mosquitoes into the Florida Keys in 2021 received final approval from local authorities, against the objection of many local residents and a coalition of environmental advocacy groups. The plan had already won state and federal approval.

"With all the urgent crises facing our nation and the State of Florida — the Covid-19 pandemic, racial injustice, climate change — the administration has used tax dollars and government resources for a Jurassic Park experiment," said Jaydee Hanson, policy director for the International Center for Technology Assessment and Center for Food Safety, in a statement released Wednesday.

Now the Monroe County Mosquito Control District has given the final permission needed. "What could possibly go wrong? We don't know, because EPA unlawfully refused to seriously analyze environmental risks, now without further review of the risks, the experiment can proceed," she added.

Approved by the Environment Protection Agency in May, the pilot project is designed to test if a genetically modified mosquito is a viable alternative to spraying insecticides to control the *Aedes aegypti*. It's a species of mosquito that carries several deadly diseases, such as Zika, dengue, chikungunya and yellow fever.

The mosquito, named OX5034, has been altered to produce female offspring that die in the larval stage, well before hatching and growing large enough to bite and spread disease. Only the female mosquito bites for blood, which she needs to mature her eggs. Males feed only on nectar, and are thus not a carrier for disease.

The mosquito is also approved to be released into Harris County, Texas, beginning in 2021, according to Oxitec, the US-owned, British-based company that developed the genetically modified organism (GMO).

The Environmental Protection Agency granted Oxitec's request after years of investigating the impact of the genetically altered mosquito on human and environmental health.

"This is an exciting development because it represents the ground-breaking work of hundreds of passionate people over more than a decade in multiple countries, all of whom want to protect communities from dengue, Zika, yellow fever, and other vector-borne diseases," Oxitec CEO Grey Frandsen said in a statement at the time.

### **A long fight in Florida**

In June the state of Florida issued an Experimental Use Permit after seven state agencies unanimously approved the project. But it's taken over a decade to obtain that approval.

In 2009 and 2010, local outbreaks of dengue fever, which is spread by the *Aedes aegypti*, left the Florida Keys Mosquito Control District desperate for new options. Despite an avalanche of effort — from aerial, truck and backpack spraying to the use of mosquito-eating fish — local control efforts to contain the *Aedes aegypti* with larvicide and pesticide had been largely ineffective.

And costly, too. Even though *Aedes aegypti* is only 1% of its mosquito population, Florida Keys Mosquito Control typically budgets more than \$1 million a year, a full tenth of its total funding, to fighting it.

In 2012, the district reached out to Oxitec for help. The company had developed a male mosquito named OX513A, programmed to die before adulthood unless it was grown in water that contained the antibiotic tetracycline.

Batches of the sterile OX513A would be allowed to live and mate with females; however, their male and female offspring would inherit the "kill" programming and die, thus limiting population growth.

OX513A had been field tested in the Cayman Islands, Panama and Brazil, with Oxitec reporting a large success rate with each release. For example, atrial in an urban area of Brazil reduced the *Aedes aegypti* by 95%.

But when word spread in the Florida Keys that the mosquito was on the way, public backlash was swift: More than 100,000 people signed a Change.org petition against the proposal; that number has grown to more than 242,000 today.

Public relations campaigns reminding Floridians that the GMO mosquito doesn't bite because he's male didn't completely solve the problem. Media reports quoted angry residents refusing to be treated as "guinea pigs" for the "superbug" or "Robo-Frankenstein" mosquito.

The EPA spent years investigating the mosquito's impact on both human health and the environment, allowing time for public input. But in the midst of the evaluation, Oxitec developed a second-generation "Friendly Mosquito" technology and withdrew the application for the first.

The new male mosquito, OX5034, is programmed to kill only female mosquitoes, with males surviving for multiple generations and passing along the modified genes to subsequent male offspring.

The EPA permit requires Oxitec to notify state officials 72 hours before releasing the mosquitoes and conduct ongoing tests for at least 10 weeks to ensure none of the female mosquitoes reach adulthood.

However, environmental groups worry that the spread of the genetically modified male genes into the wild population could potentially harm threatened and endangered species of birds, insects and mammals that feed on the mosquitoes.

"The release of genetically engineered mosquitoes will needlessly put Floridians, the environment and endangered species at risk in the midst of a pandemic," said Dana Perls, food and technology program manager at Friends of the Earth, in Wednesday's statement.

#### **New Food Magazine**

##### **Insecticide researchers call for industry review**

<https://www.newfoodmagazine.com/news/116171/insecticide-researchers-call-for-industry-review/>

**By Sam Mehmet**

Researchers have reported that decades of harmful exposure to the insecticide chlorpyrifos might have been averted if a 1972 study had been adequately reviewed by EPA.

University of Washington (UW) researchers have claimed that the US Environmental Protection Agency (EPA) could have prevented years of politics, lawsuits and harmful exposure to chlorpyrifos if a 1972 study was reviewed in more detail.

Chlorpyrifos is an insecticide created in the late 1960s by the Dow Chemical Co., and has been linked to a number of health problems, particularly in children. It has been the subject of many lawsuits and is now banned in Europe and California. In 2017, the Trump administration rejected EPA's recommendation to take chlorpyrifos off the market, but EPA now plans to reconsider the chemical's use by 2022.

Lianne Sheppard, a professor of biostatistics and environmental health in the UW School of Public Health and the study's lead author, explained that the 1972 "Coulston study" established how much of the chemical a human could be exposed to before adverse effects showed up in a body's chemistry, but suggested these findings were not adequately reviewed.

When Sheppard re-ran the study data using the same longhand statistical analysis as the original, she discovered that key data used in two other level-of-exposure tests in the same study had been left out of the central exposure question. Consequently, the safe exposure limit, called the "no observed adverse effect level," that the EPA used was wrong, according to Sheppard.

As the uses for chlorpyrifos expanded in the 1970s and became approved for in-home uses in the 1980s and '90s, EPA set allowable human exposure levels at the one described as safe in the Coulston study – .03 mg/kg per day.

"This has huge public health implications," said Sheppard. "This study was the basis of policy for over 15 years and because it concluded that the 'no observed adverse effect level' was more than twice as high as it should have been, the standard was a lot less protective than it should have been."

In the new study, UW researchers stated: “Such an omission of valid data without justification is a form of data falsification that violates all standard codes of ethical research practice and is classified as outright research misconduct. It is tragic that an omission of valid data from the analysis of the Coulston study may have adversely impacted public health.”

Sheppard also pointed out two other problems with this study that made its results more susceptible to producing a higher level of “safe” exposure.

She said that because of how the Coulston study was designed, investigators were not able to compare the test results of the three groups treated with different doses of the insecticide within the same analysis. “This meant that their original analysis was much less powerful than it could have been if it had put all the dose groups together in one analysis,” Sheppard said.

Secondly, she pointed out that better statistical methods and software tools became available in the 1980s and those would have shown that the study did not find a “safe” level of exposure.

“All kinds of approvals were allowed for uses that never should have been allowed and quite well wouldn’t have been allowed if the Coulston study authors had properly reported their results,” said Sheppard.

Why the 1972 Coulston study was not thoroughly examined even as the maturing EPA began reviewing these kinds of studies more rigorously through its inaugural 2006 Human Studies Review Board is a mystery, said co-author Richard Fenske, emeritus professor in the UW School of Public Health’s Department of Environmental & Occupational Health Sciences.

But when the EPA formally set out to review human-subject studies like the Coulston study, the maker of chlorpyrifos (Dow) specifically removed the study from that process, said Fenske, who was a member of that initial insecticide review board.

“You can speculate why they did,” said Fenske, “but they formally asked the Human Studies Review Board not to review this study and so it was never reviewed.”

Fenske said that while the Coulston study could be old news now, “it is a cautionary tale that data being submitted for pesticide registration may not have undergone proper review, and that could be happening today.”

## **Waste**

### **Waste Dive**

Chicago anaerobic digester, urban farm project secures final funding for \$32M campus

<https://www.wastedive.com/news/chicago-green-era-urban-farm-anaerobic-digester/583764/>

By [Katie Pyzyk](#)

### **Dive Brief:**

- A Chicago community group in the Auburn Gresham neighborhood recently received the funding commitments needed to move ahead with a project to transform a nine-acre brownfield site into an urban farm. Construction on the \$32 million project, which will include an on-site anaerobic digester (AD), begins next month and is expected to be complete by spring 2022.
- Green Era Sustainability will manage the AD facility, which is expected to process 85,000 tons of food waste and organic matter each year. The facility will produce material that can be used as compost for the urban farm and renewable natural gas that will be sold through an agreement with BP.
- Following a \$10 million award from the Pritzker Traubert Foundation, a final \$3 million in state funding helped close the deal. This includes \$2 million from Gov. J.B. Pritzker's Rebuild Illinois capital plan and a \$1 million loan from the Illinois Environmental Protection Agency's Brownfield Redevelopment Loan Fund. Additional project financing comes from a range of other sources, including a U.S. EPA brownfield cleanup grant.

#### **Dive Insight:**

The urban farm will grow an estimated 26,000 pounds of food per year for distribution in the community, which is considered a food desert. It is described as an example of working toward environmental justice in a low-income area that sustained a disproportionate impact from decades of disinvestment and industrial pollution. The site will also have an educational element to teach community members about growing their own food, healthy eating and organics recycling.

"The potential to provide environmental justice is huge," said Patrick Serfass, executive director of the American Biogas Council. "Communities that have suffered from environmental justice issues don't have a lot of trust for industry coming in and providing solutions because they've been burned so many times. One of the starting points here is to help everyone — from community members to leaders — understand the benefits that biogas can provide... The opportunity is incredible but education needs to come first."

Green Era Sustainability Co-Founder and CEO Jason Feldman said the project was initiated with the nonprofit Urban Growers Collective, which does agricultural projects in disadvantaged neighborhoods and will oversee the urban farm portion of the site. When they couldn't get enough compost for their community food growing projects, they started examining AD technologies, and momentum grew due to support from neighborhood groups. This project is getting a lot of attention because it is an example of a multi-benefit circular economy project to improve a traditionally underserved neighborhood, Feldman said.

"We want to show folks in a tangible way that it's worth taking the extra step to separate food waste," Feldman said. "It will be recycled locally, which creates jobs, but then it also creates the great byproducts of renewable energy to strengthen infrastructure and nutrient-rich material we can use to grow more food... We're trying to connect some of those dots. The linear economy right now is pretty unsustainable."

While food waste generally makes up one-third of the average waste stream, said Serfass, most cities currently do not have robust organics recycling programs and that material is often disposed. Therefore, cities cannot truly advance sustainability goals without an organics program, he said.

"The need to recycle food waste in cities is enormous. It's proportionate to the number of people," Serfass said.

The Chicago project is on the medium-to-large scale compared with other AD projects, according to sources. It is non-traditional due to its location in an urban neighborhood. AD facilities tend to be located in more rural areas because the land is less expensive for these capital-intensive projects. Plus, people aren't living adjacent to rural plants and thus aren't as bothered with odors. The Chicago facility will operate a depressurization system to mitigate odors.

Organizers and advocates believe the Chicago urban farm and AD project is one that other cities can and should replicate.

"If we can do this in Chicago — which is a tough way to do this — I can see it happening in many other Midwestern areas," said Feldman. "We've seen a lot of industry here leave and leave behind big, vacant brownfields, which we can use to create new, circular industry."

## **Water**

### **AP**

**Source: Michigan reaches \$600M deal in Flint water crisis**

**<https://www.apnews.com/be582ed788a70a2bb5ab29cd1132558e>**

**By John Flesher**

Michigan will pay \$600 million to compensate Flint residents whose health was damaged by lead-tainted drinking water after the city heeded state regulators' advice not to treat it properly, an attorney involved in the negotiations told The Associated Press on Wednesday.

Details will be released later this week, according to the attorney, who requested anonymity because he was not authorized to speak about it ahead of an official announcement. The settlement was first reported by The Detroit News, MLive.com and WXZY-TV.

It is intended to resolve all legal actions against the state for its role in a disaster that made the impoverished, majority-Black city a nationwide symbol of governmental mismanagement, the attorney said.

The offices of Gov. Gretchen Whitmer and Attorney General Dana Nessel have been negotiating for more than 18 months with lawyers for thousands of Flint residents who have filed suits against the state.

Ryan Jarvi, a spokesman for Nessel, declined to confirm the reports of a deal Wednesday night.

"We and the other parties are bound by a federal court order to maintain the confidentiality of detailed settlement and mediation communications until we reach a certain point," Jarvi said. "We have not yet reached the point where we can discuss a potential settlement."

Flint switched its water source from the city of Detroit to the Flint River to save money in 2014, while under control of a state-appointed emergency manager. State environmental regulators advised Flint, located about about 70 miles (112.65 kilometers) north of Detroit, not to apply corrosion controls to the water, which was contaminated by lead from aging pipes.

Residents of the city with a population of nearly 100,000 people used bottled water quickly began complaining that the water was discolored and had a bad taste and smell. They blamed it for rashes, hair loss and other health concerns, but local and state officials insisted it was safe.

Researchers with Virginia Tech University reported in summer 2015 that samples of Flint water had abnormally high lead levels. Shortly afterward, a group of doctors announced that local children had high levels of lead in their blood and urged Flint to stop using water from the river.

Then- Gov. Rick Snyder eventually acknowledged the problem, accepted the resignation of his environmental chief and pledged to aid the city, which resumed using Detroit water.

Residents used bottled water for drinking and household needs for more than a year. Researchers said in late 2016 that lead was no longer detectable in many homes.

Lawsuits against the state are being overseen by U.S. District Judge Judith Levy, who would have to approve the settlement.

Under the deal, the state would establish a \$600 million fund and Flint residents could file claims for compensation. The amount awarded per applicant would be based on how badly they were harmed, the attorney told AP.

It calls for devoting 80% of the money to people who were under age 18 during the period when Flint was using river water, the attorney said.

If approved, the settlement would push state spending on the Flint water crisis over \$1 billion. Michigan already has pumped more than \$400 million into replacing water pipes, purchasing filters and bottled water, children's health care and other assistance.

Other suits are pending against Flint, the U.S. Environmental Protection Agency and private consultants that advised the city on water issues.

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AP reporter David Eggert in Lansing, Michigan, and researcher Rhonda Shafner in New York, contributed to this report.



